



## Senate

General Assembly

**File No. 56**

January Session, 2013

Substitute Senate Bill No. 887

*Senate, March 18, 2013*

The Committee on Children reported through SEN. BARTOLOMEO of the 13th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

### **AN ACT CONCERNING THE CARE 4 KIDS PROGRAM.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17b-749 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) The Commissioner of Social Services shall establish and operate  
4 a child care subsidy program to increase the availability, affordability  
5 and quality of child care services for families with a parent or caretaker  
6 who is working, attending high school or who receives cash assistance  
7 under the temporary family assistance program from the Department  
8 of Social Services and is participating in an approved education,  
9 training, or other job preparation activity. Services available under the  
10 child care program shall include the provision of child care subsidies  
11 for children under the age of thirteen or children under the age of  
12 nineteen with special needs. The department shall open and maintain  
13 enrollment for the child care subsidy program and shall administer  
14 such program within the existing budgetary resources available. The

15 department shall issue a notice on the department's Internet web site  
16 and shall provide written notice to recipients of program benefits and  
17 to service providers any time the department closes the program to  
18 new applications, changes eligibility requirements, changes program  
19 benefits or makes any other change to the program's status or terms,  
20 provided the department shall not be required to issue such notice  
21 when the department expands program eligibility. Any change in the  
22 department's acceptance of new applications, eligibility requirements,  
23 program benefits or any other change to the program's status or terms  
24 for which the department is required to give notice pursuant to this  
25 subsection, shall not be effective until thirty days after the department  
26 issues such notice.

27 (b) The commissioner shall establish income standards for  
28 applicants and recipients at a level to include a family with gross  
29 income up to fifty per cent of the state-wide median income, except the  
30 commissioner (1) may increase the income level to up to seventy-five  
31 per cent of the state-wide median income, (2) upon the request of the  
32 Commissioner of Children and Families, may waive the income  
33 standards for adoptive families so that children adopted on or after  
34 October 1, 1999, from the Department of Children and Families are  
35 eligible for the child care subsidy program, and (3) on and after March  
36 1, 2003, shall reduce the income eligibility level to up to fifty-five per  
37 cent of the state-wide median income for applicants and recipients  
38 who qualify based on their loss of eligibility for temporary family  
39 assistance. The commissioner may adopt regulations in accordance  
40 with chapter 54 to establish income criteria and durational  
41 requirements for such waiver of income standards.

42 (c) The commissioner shall establish eligibility and program  
43 standards including, but not limited to: (1) A priority intake and  
44 eligibility system with preference given to serving recipients of  
45 temporary family assistance who are employed or engaged in  
46 employment activities under the department's "Jobs First" program,  
47 working families whose temporary family assistance was discontinued  
48 not more than five years prior to the date of application for the child

49 care subsidy program, teen parents, low-income working families,  
50 adoptive families of children who were adopted from the Department  
51 of Children and Families and who are granted a waiver of income  
52 standards under subdivision (2) of subsection (b), and working  
53 families who are at risk of welfare dependency; (2) health and safety  
54 standards for child care providers not required to be licensed; (3) a  
55 reimbursement system for child care services which account for  
56 differences in the age of the child, number of children in the family, the  
57 geographic region and type of care provided by licensed and  
58 unlicensed caregivers, the cost and type of services provided by  
59 licensed and unlicensed caregivers, successful completion of fifteen  
60 hours of annual in-service training or credentialing of child care  
61 directors and administrators, and program accreditation; (4)  
62 supplemental payment for special needs of the child and extended  
63 nontraditional hours; (5) an annual rate review process for providers  
64 which assures that reimbursement rates are maintained at levels which  
65 permit equal access to a variety of child care settings; (6) a sliding  
66 reimbursement scale for participating families; (7) an administrative  
67 appeals process; (8) an administrative hearing process to adjudicate  
68 cases of alleged fraud and abuse and to impose sanctions and recover  
69 overpayments; (9) an extended period of program and payment  
70 eligibility when a parent who is receiving a child care subsidy  
71 experiences a temporary interruption in employment or other  
72 approved activity; and (10) a waiting list for the child care subsidy  
73 program that reflects the priority and eligibility system set forth in  
74 subdivision (1) of this subsection, which is reviewed periodically, with  
75 the inclusion of this information in the annual report required to be  
76 issued annually by the Department of Social Services to the Governor  
77 and the General Assembly in accordance with subdivision (10) of  
78 section 17b-733. Such action will include, but not be limited to, family  
79 income, age of child, region of state and length of time on such waiting  
80 list.

81 (d) Not later than January 1, 2011, an applicant determined to be  
82 eligible for program benefits shall remain eligible for such benefits for  
83 a period of not less than eight months from the date that such

84 applicant is determined to be eligible, provided the commissioner has  
85 not determined, during such eight-month period, that the applicant's  
86 circumstances have changed so as to render the applicant ineligible for  
87 program benefits. The commissioner shall not make an eligibility  
88 determination for a recipient of program benefits more than one time  
89 per eight-month period, except as provided in subsection [(e)] (f) of  
90 this section.

91 (e) Within available appropriations, a recipient of program benefits  
92 who takes unpaid leave from such recipient's employment due to the  
93 birth or impending birth of a child shall be granted not more than six  
94 weeks of payment eligibility during the leave if: (1) The recipient  
95 intends to return to work at the end of the unpaid leave; (2) the  
96 recipient verifies that eligibility is needed to prevent the loss of a slot  
97 in a school-based program or licensed child care setting; and (3) the  
98 child receiving child care services under the program continues to  
99 attend the program during the recipient's leave.

100 [(e)] (f) Not later than October 15, 2011, the commissioner shall  
101 submit a report, in accordance with the provisions of section 11-4a, to  
102 the joint standing committees of the General Assembly having  
103 cognizance of matters relating to human services and appropriations  
104 and the budgets of state agencies concerning eligibility  
105 redeterminations made on an eight-month basis. Such report shall  
106 include an analysis of overpayments of program benefits made by the  
107 department and administrative costs incurred by the department as a  
108 result of eligibility redeterminations made on an eight-month basis. On  
109 and after October 15, 2011, the commissioner may make eligibility  
110 redeterminations on a six-month basis if, after January 1, 2011, the  
111 department's overpayments of program benefits have increased in  
112 comparison with the period between January 1, 2010, and December  
113 31, 2010, as a result of having an eight-month eligibility  
114 redetermination period.

115 [(f)] (g) A provider under the child care subsidy program that  
116 qualifies for eligibility and subsequently receives payment for child

117 care services for recipients under this section shall be reimbursed for  
 118 such services until informed by the Department of Social Services of  
 119 the recipient's ineligibility.

120 [(g)] (h) All licensed child care providers and those providers  
 121 exempt from licensing shall provide the Department of Social Services  
 122 with the following information in order to maintain eligibility for  
 123 reimbursement: (1) The name, address, appropriate identification,  
 124 Social Security number and telephone number of the provider and all  
 125 adults who work for or reside at the location where care is provided;  
 126 (2) the name and address of the child's doctor, primary care provider  
 127 and health insurance company; (3) whether the child is immunized  
 128 and has had health screens pursuant to the federal Early and Periodic  
 129 Screening, Diagnostic and Treatment Services Program under 42 USC  
 130 1396d; and (4) the number of children cared for by the provider.

131 [(h)] (i) On or after January 1, 1998, the commissioner shall adopt  
 132 regulations, in accordance with the provisions of chapter 54, to  
 133 implement the provisions of this section.

134 [(i)] (j) The commissioner shall submit to the joint standing  
 135 committees of the General Assembly having cognizance of matters  
 136 relating to human services and appropriations and the budgets of state  
 137 agencies a copy of the Child Care and Development Fund Plan that the  
 138 commissioner submits to the Administration for Children and Families  
 139 pursuant to federal law. The copy of the plan shall be submitted to the  
 140 committees not later than thirty days after submission of the plan to  
 141 the Administration for Children and Families.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	17b-749

**Statement of Legislative Commissioners:**

In subsection (e), "her" was changed to "such recipient's" for consistency in terminology.

**KID**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill allows the Department of Social Services to grant up to six weeks of eligibility for child care subsidies during unpaid maternity leave. As this codifies a current practice of the department, there is no fiscal impact.

***The Out Years***

***State Impact:*** None

***Municipal Impact:*** None

**OLR Bill Analysis****sSB 887*****AN ACT CONCERNING THE CARE 4 KIDS PROGRAM.*****SUMMARY:**

This bill codifies existing practice by requiring the Department of Social Services (DSS), within available appropriations, to grant up to six weeks of continued eligibility for Care 4 Kids subsidies to recipients who take unpaid leave from their jobs due to the birth or impending birth of a child. Such eligibility may be granted only if (1) the recipient intends to return to work at the end of the leave, (2) the recipient verifies that payment eligibility is needed to hold a child care slot in a licensed or school-based child care setting, and (3) the child for whom benefits have been provided continues to attend that program during the recipient's leave.

Under current regulations, DSS extends program eligibility for up to 16 weeks when a recipient takes an extended maternity leave, but it does not provide a subsidy during that time. (The parent must self-declare an intent to work at the end of that period.) Apparently, the 16-week extended eligibility period applies to licensed and school-based settings, as well as informal child care arrangements.

EFFECTIVE DATE: October 1, 2013

**BACKGROUND*****Care 4 Kids Program***

Within available appropriations, DSS offers child care subsidies to working families and certain others who have income under 50% of the state median income (SMI). Currently, a family of three with income under \$42,829 per year can qualify. Once eligible, family income can rise to 75% of SMI, which for a family of three would be



\$64,243 annually.

**COMMITTEE ACTION**

Children Committee

Joint Favorable Substitute

Yea 12 Nay 0 (02/28/2013)